

Declaration of Julie Ford, Counsel for Defendant Brad Marquardt

Julie Ford makes the following declaration pursuant to 28 U.S.C. § 1746.

1. My name is Julie Ford. I am counsel for Defendant Brad Marquardt in this litigation. I have personal knowledge of the facts attested to and am competent to testify thereto.

2. The amended scheduling order entered by the Court in this case on July 7, 2022, provides that deadlines for depositions and other pretrial matters would be triggered by the date the Fifth Circuit ruled on all matters in Case No. 20-20503. Case No. 20-20503 is Plaintiffs' appeal of this Court's Order dismissing all of the Defendants except Brad Marquardt. Prior lead counsel for Marquardt (Assistant Attorney General Rola Daaboul) and prior counsel for Plaintiffs agreed to delay taking depositions until that appeal had been decided, and the amended scheduling order reflects that agreement. This agreement was confirmed to me in an email from Plaintiffs' counsel, Jonathan Griffith at Wallace Jordan law firm, on February 7, 2022. That email states: "When we were working on the proposed scheduling order with Rola, the thought was that it was to both sides' benefit not to get too far out ahead of our skis prosecuting the claims against Marquardt while waiting to learn the fate of the state entities."

3. The Fifth Circuit affirmed this Court's order on February 14, 2022, in Case No. 20-20503. Three days later I contacted Plaintiffs' counsel at Wallace Jordan to arrange for a deposition date for Plaintiff Michael Bynum. Shortly after that, I learned that Wallace Jordan would be withdrawing as counsel for Plaintiffs, but that Joe Redden of Beck Redden would continue to represent Plaintiffs.

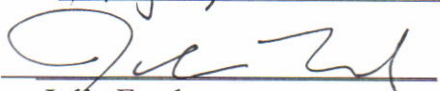
4. I contacted Mr. Redden on March 2nd and again on March 8th to obtain a date for Bynum's deposition. I was told that Mr. Redden also intended to withdraw as counsel for Plaintiffs and that new counsel would be retained. However, given that the clock was running on the scheduling order deadlines, I noticed Mr. Bynum's deposition for April 1, 2022. I then agreed to reschedule that deposition for April 27, 2022.

5. On April 20, Mr. Redden asked to delay Mr. Bynum's deposition to allow new counsel to appear for Plaintiffs. That deposition finally took place on June 8, 2022.

6. Plaintiffs' new lead counsel, Warren Norred, intends to file a motion to amend the current scheduling order and I have agreed to extend the time for discovery as well as other pretrial deadlines.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: Aug 8, 2022

Signature: 
Julie Ford